

Message Text

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PAGE 01 STATE 131308
ORIGIN AF-04

INFO OCT-01 ISO-00 /005 R

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FM SECSTATE WASHDC
TO AMEMBASSY GABORONE

LIMITED OFFICIAL USE STATE 131308

FOLLOWING REPEAT STATE 131308 SENT ACTION MASERU MAY 23.
QUOTE LIMITED OFFICIAL USE STATE 131308

TOPEC, TO: JHEALEY, PEACE CORPS DIR.

E.O. 11652: N/A

TAGS: N/A

SUBJECT: N/A

FROM: OFFICE OF GENERAL COUNSEL

REF: MASERU 1085

1. BEFORE WE AUTHORIZE RETENTION OF COUNSEL, WE NEED
THE FOLLOWING INFORMATION RE MOSOANG CASE:

A) WHO IS NAMED DEFENDANT?

B) IS DEFENDANT BEING SUED IN HIS CAPACITY AS A UNITED
STATES OFFICIAL OR AS AN INDIVIDUAL?

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C) IS THE UNITED STATES A PARTY TO THE SUIT?

D) WHEN AND WHERE WAS SERVICE OF PROCESS?

E) WHAT COURT WILL THE CASE BE TRIED IN?

F) HAS A COURT DATE BEEN SET? WHEN ARE INITIAL RESPONSES DUE?

G) WHAT IS THE AMOUNT BEING SUED FOR?

H) WHAT ARE THE FACTS OF THE CASE? ON WHAT LEGAL THEORY IS THE PLAINTIFF SUING?

I) IF YOU HAVE IDENTIFIED AN ATTORNEY, WHAT ARE HIS QUALIFICATIONS AND HOW DID YOU CHOOSE HIM?

J) IF YOU HAVE NEGOTIATED A FEE, PLEASE INFORM AS TO AMOUNT AND WHETHER IT IS CONSISTENT WITH LOCAL FEE SCALE IN SUCH CASES. (NOTE: CONTINGENCY OR PERCENTAGE FEES ARE NOT, REPEAT NOT PERMISSIBLE.)

2. IF NECESSARY, YOU AUTHORIZED TO RETAIN COUNSEL FOR LIMITED PURPOSE OF ASCERTAINING INFORMATION TO RESPOND TO ISSUES RAISED IN PARA. 1 ABOVE.

3. FYI DEFENSE OF SUITS AGAINST THE PC OVERSEAS ARE COORDINATED WITH DEPT. OF JUSTICE. INFO REQUESTED ABOVE DEEMED NECESSARY FOR DOJ OR PC/W TO ADVISE AS TO CONDUCT OF THE DEFENSE AND TO MAKE AN INFORMED JUDGEMENT AS TO QUALIFICATIONS OF THE ATTORNEY SELECTED

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TO REPRESENT PC. SUGGEST YOU REVIEW MS 861.1 AND 2 FAM 284 FOR FURTHER GUIDANCE. END FYI

4. IN ORDER TO BE OF GREATEST ASSISTANCE TO POST IN THIS MATTER GC SHOULD BE KEPT FULLY INFORMED OF FACTS AND

STATUS OF CASE AS IT DEVELOPS. CHRISTOPHER UNQUOTE VANCE

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Message Attributes

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